

Re: Rule 8.4(g) ORIGINAL

FILED

12/08/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0688

MT Rules of Professional Conduct

Please do not change this rule.

As a Montanan, I request that you consider my comments.

I think lawyers should also have freedom of speech and freedom of religion.

Thank you!

Sara Platisha

SARA PLATISHA
9880 FRONTAGE RD
Manhattan, MT 59741

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DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

12/05/2016

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court

You have called for public comment on this proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a concerned citizen, I hereby submit my request that you reject this rule for the following reasons.

First my question is why is this rule change necessary and who requested it? It appears that this proposed change is a further push by the LGBT groups to further constrain free speech on the part of those of us who are Christian.

This nation was founded on Christian principles in general, rather than a specific denomination. If you question this, please check your law library for the US Supreme Court decision "Rector, Etc of Holy Trinity Church v. United States" (February 29, 1892), where they summarize that this is a Christian nation. (Or at least it was back in 1892). That interpretation began to deteriorate back in 1946 when in *Everson v. Board of Education*, the Supreme Court adopted Thomas Jefferson's statement in a letter to the Danbury Baptists about raising high the wall of "Separation of Church and State". Joseph Story addressed the true meaning of the 1st Amendment in his "Commentaries on the Constitution of the United States" (1836) and it was not to prostrate Christianity in the face of every other religion or non religion.

I have seen this nation bow to the god of Political Correctness since Bill Clinton introduced it in 1992 and the LGBT bunch came out of the closet. This persecution and prosecution of Christians because of our belief in God and the founding principles of this nation must stop. The name of the game is diversity, not perversity. This favoritism and promotion of illegal and immoral lifestyles must stop. You are discriminating against my and my fellow Christian's values.

Sincerely;



Warren Williamson
P.O. Box 840
Lakeside, MT 59922

FILED

DEC 08 2016

Mc Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

OFFICIAL

December 5, 2016

Clerk of the Montana Supreme Court
P.O. Box 203003
Helena, Montana 59620-3003

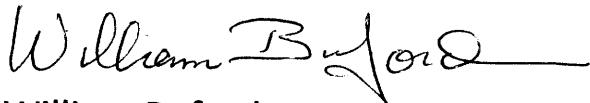
Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a concerned citizen, **I request that you reject this rule in its current form.**

Even though this rule seems well intended, the phrases "engage in conduct" and "knows or reasonably should know" are open to a variety of subjective interpretations. I suggest that the rule be modified to list the specific types of conduct that would be considered professional misconduct. The intent is to make the criteria for professional misconduct as objective as possible. It may be necessary to update and refine the rule from time to time.

Sincerely,



William Buford
P.O. Box 422
Emigrant, MT. 59027

FILED

DEC 03 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a concerned citizen, I hereby submit my request that you reject this rule because it value religious freedom and freedom of speech.

Sincerely,

Sara Stone

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DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Sara Stone
33693 Jims Dr
Polson MT 59860
406-883-1314

ORIGINAL

2055 Haskill Basin Rd.
Whitefish, MT 59937
December 4, 2016

Montana Supreme Court
P.O. Box 203003
Helena, MT 59620-3003

Dear Sirs:

It has been brought to my attention that a new ruling is being considered which applies to lawyers in Montana. This is RULE 8.4(g) of the Professional Rules of Conduct for Montana Attorneys.

As a citizen of Montana and a registered voter I would like to urge you not to validate this proposed new ruling. It is my strong belief that this would nullify the religious beliefs of lawyers and "tie their hands" in cases where their moral foundations would be defied or nullified.

Please consider my request, and those of many other sincere Montana residents, and do not let RULE 8.4(g) become law in our beautiful and free state.

Thank you.

With all good wishes,

Gretchen K. Finch

(GRETCHEN K. FINCH)

FILED

DEC 03 2016

CL. Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Rules for Christian lawyers.
Dear Sirs (In re - To proposed new regulation)
you have called for public comment
As a Concern Citizen I hereby
submit my request that you reject
this rule for the following reason.

It negates my religious freedom

It is government over reach

It withholds my freedom of speech.

Thank you for your consideration

96 yrs. old
Charles Lape Oct. 25, 1920
18 C. Ave # B.
Bozeman, Mt. 59560

FILED

DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

ORIGINAL

December 5, 2016

Clerk of the Montana Supreme Court
P.O. Box 203003
Helena, MT 59620-3003
Fax: 406-444-5705

Gabriel A. Holmes, CPA
2707 St. Johns Ave.
Billings, MT 59102

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court,
You have called for public comment of the proposed new **Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a business owner, I hereby submit my request that you reject this rule for the following reasons.** This new rule would essentially restrict an attorney's freedom of speech and freedom of conscience by placing his ability to practice law at risk.

Signed,



Gabriel A. Holmes

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Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Clerk of Supreme Court
PO Box 203003
Helena, MT 59620-3003

ORIGINAL FILED

DEC 03 2016

Re: Professional Rules of Conduct- Rule 8.4(g) Please Decline

Honorable Members of the Court,

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA 12/3/16

In your order of October 26, 2016 regarding case number AF 09-0688 you have called for public comment on the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As Founder of the Big Sky Worldview Forum and Administrator of the Montana Pastors Network, I would like to submit my comments and **urge you to decline adoption of this rule** for the following reasons.

1. Suggests the Montana Supreme Court is "Legislating from the Bench"

At the national level, the comments to ABA have been overwhelmingly against this effort. Yet they have moved forward essentially disregarding public comment even from those within their own ranks. The ABA Committee on Ethics' Memorandum of December 22, 2015, explaining the purpose of the proposed rule change favorably quotes the sentiment that there is "a need for a cultural shift in understanding the inherent integrity of people..." In other words, the rule change was not proposed for the sake of protecting clients, for protecting attorneys, or for protecting the court. It was proposed because the American Bar Association felt the need to promote a cultural shift. This is clearly social engineering and legislating from the bench. It is outside the auspices of the court. Such an expansion of the purpose of the court threatens the very fiber of the judicial estate. This will not set well with the citizens of Montana and they will find out.

2. A Danger to Religious Freedom.

If our lawyers find themselves under the threat of discipline by associating themselves with religious organizations that hold certain beliefs connected to sexual orientation, gender identity or marital status – churches and non-profits will find themselves without competent legal counsel. The lack of access to such legal advice may create a serious threat to religious freedom in Montana bringing about a chilling effect on lawyers who will be reluctant to grant pro-bono work, or to sit on the governing boards of congregations or not-for-profit organizations.

3. A Threat to Freedom of Speech.

This reeks of Progressive Activism – the incremental changing of culture like moves in a chess match. Intelligent Montanans will see through this and you do not want to project this image. By the adoption of this rule Montana Lawyers will find their "verbal conduct"ⁱ severely limited, even in social activities. This limitation on free speech is a dangerous precedent and unconstitutional as you know. This incremental erosion is of great concern. Who will be next? A threat to the freedom of speech for one class is a threat to the freedom of speech for all. Lawyers with religious beliefs will feel the need to limit their clientele. The adoption of this

rule, threatens their very livelihood on the basis of their speech. If they speak their beliefs they may be disciplined.

4. Vague Language Opens the Door to Legal Mischief

The language in this new rule is so vague that it invites legal-political mischief. On one day, the court may say "a lawyer can offer advice to a group on protection about hiring." On the next day (or a different court) may rule exactly the opposite because of the lack of boundaries of this action. Further, the rules for the professional conduct of attorneys ought not to contain circular reasoning. The final sentence of the proposed rule states, "This paragraph does not preclude legitimate advice or advocacy consistent with these rules." Since Rule 8.4(g) is included in "these rules," the effect of this sentence is, "Rule 8.4 does not preclude legitimate advice consistent with rule 8.4." This is verbal gobbledygook that can be interpreted according to the whim of the administrator.

5. Hijacks the Purpose of the Court.

Once the court determines that it is to be the arbiter of cultural values, instead of interpreting the law, it crosses a bridge that ends in the crumbling of the rule of law.

6. An Escalation of Class Warfare.

Comment 4 to Rule 8.4(g) says that "Lawyers may engage in conduct undertaken to promote diversity and inclusion without violating this Rule by, for example, implementing initiatives aimed at recruiting, hiring, retaining and advancing diverse employees..." This rule will provide the foundation for intensifying class warfare. The favored classes will enjoy the support of Montana attorneys. The disfavored classes will suffer. A lawyer would face discipline if he were to say, "I will hire you because you are a white male." A lawyer would be free to say, "I will hire you because you are a lesbian."

On the basis of the above reasoning I urge the court not to adopt the proposed change to Rule 8.4 of the Professional Rules of Conduct.

Sincerely,



Richard A. Pence – Coordinator, Big Sky Worldview Forum & Montana Pastors Network
4307 Palisades Park Dr.
Billings, MT 59106
406-672-9207

Mr. and Mrs. Jim George
PO Box 106
Wilsall, MT 59086

December 4, 2016

Clerk of the Montana Supreme Court
PO Box 203003
Helena, MT 59620-3003

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court,

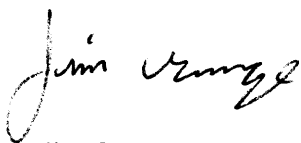
You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As concerned citizens, we hereby submit our request that you reject this rule for the following reasons.

We consider that this is another attempt to silence the voice of Judeo-Christian ethics upon which this blessed country was founded. There is only one Lawgiver and He defines marriage to be between one man and one woman. "Political correctness" has been a contributing factor in the declining moral condition of our culture.

Secondly, we feel that lawyers (attorneys) should have religious freedom and freedom of speech to be able to practice with a clear conscience. This is an extreme example of the government overreaching into the consciences of lawyers with the conviction that marriage is truly between one man and one woman.

Please respond to our request to reject this rule.

Sincerely,



Jim George



Corinne George

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DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

December 6th 2016

From: Kem and Gail Allen

Box 968

Fort Benton, Montana 59442

To: Members of the Montana Supreme Court

Re: Professional Rules of Conduct, Rule 8.4(g)


Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a concerned citizen and business owner, I hereby submit my request that you reject this rule for the following reasons.

Any attorney should be able to speak concerning his/her own beliefs about gender identity and/ or sexual orientation. The government must not be able to dictate what an attorney says in those areas, both of which are individual choices and if the attorney does have strong convictions in those designations, said attorney should not be accused of professional misconduct. Secondly, if the attorney has strong religious beliefs, this rule impinges on his/her freedom, both in speaking and in representation of a client. As noted, the rule does allow for said attorney to excuse him/herself from case, but even in that event, the potential client could sue the attorney if the attorney's reasons are related to the clients sexual orientation or perceived gender.

Please reject this proposed amendment to Rule 8.4.

Signed,



Kem and Gail Allen

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DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

Clerk of the Montana Supreme Court

7 December 2016

PO box 203003

Helena, MT59620-3003

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court,

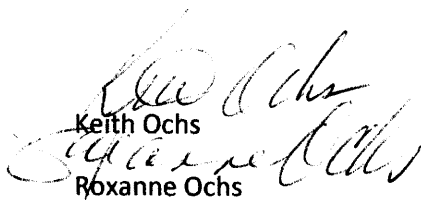
It was brought to our attention the Montana Supreme Court is proposing new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. It is our understanding a lawyer could lose his or her job for publicly saying, "Marriage is between one man and one woman". This greatly disturbs me as it should any Montana citizen. Unbridled political correctness injected in the law will be the destruction of our state and this nation.

I am a 74 year old U. S. born citizen, resident of Montana, taxpayer, voter, Christian, veteran with 29 ½ years honorable military service, father, grandfather, and property owner in Great Falls Mt. I am appalled and curious as to why the court would so blatantly propose to discriminate against the Christian religion regarding the beliefs of a member (lawyer) of the court practicing his or her biblical belief: Marriage is One Man One Woman! This is plain and simple free speech and religious discrimination according to the 1st Amendment to our Constitution of the United States of America.

I and my spouse hereby request the proposed rule be rejected.

Thank you for your consideration of our request.

Sincerely,


Keith Ochs
Roxanne Ochs

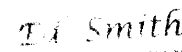
1507 3rd West Hill Drive

Great Falls MT 59404

406-315-3858

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

To Whom it May Concern,

I don't full understand the law as it relates to proper conduct of attorneys and how this new rule for professional conduct would affect that. While my "Christian" friends asked me to write a letter apposing this, I don't outright appose this. Bigotry is something that has no place in this world. People should be treated as people. Religion should not be used to degrade another's life.

Thank you,

Willie Thornley
516 5th Street SW
Great Falls, MT 59404

Willie Thornley

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DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
JUDICIAL CENTER, BUTTE, MONTANA

ORIGINAL

2885 No. 17th Rd
Warden, MT 59088
Dec. 6, 2016

Clerk of the Montana Supreme Court

Re public comment on proposed
new Rule 8.4(g) of the Professional
Rules of Conduct for Montana Attorneys

We are concerned citizens and hereby submit
our requests that you reject this rule.
You are infringing on our religious
freedom as well as our freedom of speech.
Sincerely,

Barbara R. Wolfe

Barbara R. Wolfe

Robert J. Wolfe

Robert J. Wolfe

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

Dear, Honorable Justices

I am writing to you about
proposed rule change 8.4(g). This
is offensive & hateful to Christians.

Delbert Anderson
Box 16, Joplin MT
59531

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

Charla Lucibello
1619 Knight St
Helena, MT 59601

Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. As a business person, I hereby submit my request that you reject this rule for the following reasons.

I, once a licensed member of the mental health community, remember a time that homosexuality was considered medically deviant. I appreciate the many changes we have had in our culture since that time, and yet continuously see popular opinion lead to irrational and politicized reactions that swing the pendulum very far in a direction just as irrational as the original belief or opinion. In this case, while a person of other sexual orientation would no longer be considered medically "deviant," it is moving into an arena of evil when people of faith can no longer state that only a marriage between a man and woman should be celebrated. This belief in marriage and family as an institution established by God is a beautiful and central belief of the Christian faith. Christians do not insist others must agree, just that others respect this as a part of the Christian faith.

As Montanans, we have always appreciated our freedom of speech, and have never let the national agenda of the squeaky-few dictate our terms of speech, our ability to provide or protect our families, or our faith. This proposed rule infringes upon both the faith and speech of a large segment of our society.

I implore that you would allow lawyers to have freedom of speech. If people don't like it, they can choose a different lawyer. That is the beauty of this country.

Signed,



Charla Lucibello

FILED

DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGINAL

933 N. Park Ave.
Helena, MT. 59601
Dec. 7, 2016

Clerk of the Montana Supreme Court
P.O. Box 203003
Helena, MT. 59620-3003

fax 406-444-5705

Re: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members of the Court:

You have called for public comment.
As a concerned citizen, I request that you
reject this rule ^{in order} to protect freedom of speech
and freedom of religion, and to prevent
government overreach.

Sincerely,
Claude Carkeek
Stephen Carkeek

copy for file

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA